

MorrisonCohen LLP

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/31/2023

Eric M. Creizman
Partner
(212) 735-8640
ecreizman@morrisoncohen.com

By ECF

August 25, 2023

The Honorable Mary Kay Vyskocil
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Joel Lingat and Joseph Eugene Lemay, 21-CR-573 (MKV)*

Dear Judge Vyskocil:

This firm represents Joseph Eugene Lemay in the above-referenced case.

I am writing to respectfully request that the Court accept the attached untimely submissions which identify our requested edits, additions, and deletions to the Joint Requests to Charge and Joint Proposed Examination of Prospective Jurors, *nunc pro tunc*. Neither the government nor counsel for Mr. Lingat take any position on this application.

Following the submission of our papers in opposition to the government's motions *in limine*, we have been working diligently on our review of the massive discovery in this case, as well as conducting our defense investigation. On August 23, 2023, I circulated the attached documents to the government and to counsel for Mr. Lingat with a request to meet and confer concerning our suggested changes to the proposed requests to charge and the proposed voir dire questions. Counsel for the government informed me that those materials were due on August 22, 2023, which was the deadline for "supplemental submissions" that was set prior to noticing our appearance in the case. I did not understand that August 23, 2023 was the deadline for submission of revised proposed requests to charge and proposed voir dire questions.

Accordingly, I request that the Court accept Mr. Lemay's suggested changes to the previously filed Joint Requests to Charge and Joint Proposed Examination of Prospective Jurors. Mr. Lemay's changes appear in red font.

If the Court grants this application, we will submit a Word version of the attached documents to Chambers according to Your Honor's Individual Rules.

MorrisonCohen_{LLP}

Hon. Mary Kay Vyskocil

August 25, 2023

2 | Page

We thank the Court for its consideration in this matter.

Respectfully Submitted,

/s/ Eric M. Creizman

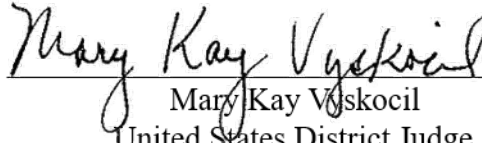
Eric M. Creizman

Enclosures

cc: AUSAs Jilan Kamal, Steven J. Kochevar, and Juliana Murray (by ECF and email)
James J. Mahon, Esq. and Samantha A. Lesser, Esq. (by ECF and email)

Granted. SO ORDERED.

Date: 8/31/2023
New York, New York


Mary Kay Vyskocil
United States District Judge